

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Alexis Manuel Gonzalez

Docket No. 5:09-CR-310-2BO

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Alexis Manuel Gonzalez, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession With Intent to Distribute Cocaine, 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 16, 2010, to the custody of the Bureau of Prisons for a term of 27 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Alexis Manuel Gonzalez was released from custody on September 19, 2011, at which time the term of supervised release commenced.

On February 17, 2012, a Petition for Action on Supervised Release was filed adding drug aftercare and mental health conditions. This was due to a positive drug screen for cocaine on February 15, 2012.

On March 8, 2012, a Petition for Action on Supervised Release was filed adding a condition requiring participation in a cognitive behavioral program. This was the result of the defendant testing positive for cocaine on February 29, 2012. In addition to this action, the defendant was referred to the North Carolina Eastern Reentry/Drug Court Program (HOPE).

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 27, 2012, the defendant tested positive for cocaine. This is his third positive drug test within the last two months. In light of this new violation, and concerns that the defendant needs more structure, it is recommended that Mr. Gonzalez be required to complete a period of home detention up to 90 days. Additionally, he will be placed in Intensive Outpatient (IOP) treatment, and will be continued in the Surprise Urinalysis Program as well as the HOPE Program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8660
Executed On: April 10, 2012

ORDER OF COURT

Considered and ordered this 12 day of April, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge